

REMARKS/ARGUMENTS

In a "Notice to File Missing Parts of Nonprovisional Application" letter dated June 28, 2004, among other things, it was indicated that page 40 of the specification was missing.

The specification, as filed on April 16, 2004, contained specification in 44 pages, where pages 40 through 43 contained claims 1 through 50. The description is from pages 1 to 39 and the Abstract on page 44, thus adding up to 44 pages. The certificate of mailing signed by one of the earlier attorneys of record, Lauren Keller, states this fact. A copy of this certificate is attached as Exhibit A. Additionally, the stamped postcard from the USPTO (Exhibit B) acknowledges receipt of 44 pages of the patent application. Therefore, we submit that page 40 was filed in the USPTO on April 16, 2004.

Nevertheless, to expedite processing, we have resubmitted page 40 containing claims 1 through 15, as new claims under this preliminary amendment. These claims 1 to 15 are clearly supported by the specification as filed on April 16, 2004. No new matter has been added.

In view of the foregoing, early consideration and allowance of this application are earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP


Robert E. Krebs
Reg. No. 25,885

Dated: January 28, 2005

Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 292-5800
Fax. (408) 287-8040